

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

WILLIAM SCHNEIDER, DAVID  
SCHWANINGER, and DEWANE SPILKER,

Plaintiffs,

vs.

UNITED STATES OF AMERICA,

Defendant.

**8:99CV315**

**ORDER**

This matter is before the Court on plaintiffs' notice of defendant's non-payment and plaintiffs' resulting inability to file a stipulation of dismissal pursuant to Filing No. 539. [Filing No. 540](#). Plaintiff alleges that defendant has failed to perform under the settlement agreements entered into on November 13, 2020. See [Filing No. 527](#). An agreement in principle was reached on December 3, 2020 and was approved by the Department of Justice on April 23, 2021. Filing Nos. 529 and 538. The Court entered an Order setting the deadline for filing the dismissal as May 28, 2021. Filing No. 539. To date, argues plaintiffs, the United States has not made the required payments and has not indicated when those payments will be made.

The Court agrees that that this matter has dragged on for quite some time. The Court will order that the payments be made by June 7, 2021. Failure to make these payments will result in possible sanctions, as requested by the plaintiff. To ensure timely payment, hearing in this matter is hereby set before the undersigned on June 11, 2021 at 3:30 PM. Counsel for the parties shall be present for the hearing.

Dated this 2nd day of June, 2021.

BY THE COURT:

s/ Joseph F. Bataillon  
Senior United States District Judge